



## RESPONSES TO INFORMATION REQUESTS (RIRs)

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Indonesia: Treatment of Indonesians who have converted to Christianity; the number of Indonesian Christians; whether Sharia law applies, and if so, how; whether there have been any fatwas in this regard; whether the radical Muslim community loses interest once a Muslim has converted to Christianity and has lived as a Christian for some time; whether churches provide religious instruction for conversion; whether it is permitted or tolerated for churches to provide instruction on conversion; whether there are any instances of forced conversion from Christianity to Islam and if so, reaction of Muslims and consequences for the Christian community; whether there are reports of police laying charges in cases of forced kidnapping for the purpose of conversion; whether the state prosecuted or is prosecuting those involved in the 1998 riots against Chinese and Chinese Christians and any recent news on that rioting (2004 - 2006)

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According to the *International Religious Freedom Report 2005 (IRFR 2005)*, the latest statistics available from the Indonesian Central Statistic Bureau (published following the 2000 census) indicate that 88.2 per cent of the population consider themselves Muslim, 5.9 per cent Protestant, 3.1 per cent Catholic, 1.8 per cent Hindu, 0.8 per cent Buddhist, and 0.2 per cent "other" (8 Nov. 2005, Sec. I). Freedom House reported similar numbers: 88 per cent Muslim, 5 per cent Protestant, 3 per cent Roman Catholic and 4 per cent other religions (July 2005). Agence France-Presse stated that approximately 9 per cent of Indonesians are Christians (30 Aug. 2005), while *The Times* newspaper reported that they amount to approximately 8 per cent of the population (25 July 2005).

### Religious conversion

The *IRFR 2005* provides the following information on religious conversions:

Unforced conversions between faiths occur, as allowed by law, but they remain a source of controversy. Some persons converted to marry a person of another faith; others converted in response to religious outreach or social activities organized by religious groups. Some Muslims accused Christian missionaries of using food and micro-credit programs to lure poor Muslims to conversion. Some of those who converted felt compelled not to publicize the event for family and social reasons (8 Nov. 2005, Sec. III).

According to *The Jakarta Post*, "Indonesian law prohibits the propagation of a religion among those already professing another faith" (11 Jan. 2006). Other sources reported, more specifically, that it is prohibited for anyone to attempt to convert a Muslim to another religion (*The Straits Times* 30 July 2005; *The Post and Courier* 25 Dec. 2005). Some sources reported that Muslim groups believe that Christians are attempting to convert Muslims to Christianity (AFP 30 Aug. 2005; *The Jakarta Post* 30 Aug. 2005).

Following the tsunami disaster, various sources reported that relief efforts were perceived by some as being attempts to convert Muslim tsunami victims to Christianity (*The Straits Times* 6 Jan. 2005; HRWF 14 Jan. 2005; *The Courier-Mail* 11 Jan. 2005; *The Jakarta Post* 11 Jan. 2006). However, *The Jakarta Post* reported that "[t]here is no convincing indications to show that conversion attempts have indeed taken place and no one knows how many Acehese have been converted following the arrival of international workers" (ibid.). Even so, these allegations have led to widespread public anxiety (ibid.). According to a representative of the Rehabilitation and Reconstruction Agency (BRR), an organization that monitors faith-based groups in Aceh, there was no evidence that groups involved in the relief effort for the tsunami disaster were in fact in Indonesia for the purpose of Christian evangelism and he believed that "radical Muslims are exaggerating the issue for their own political ends" (*The Post and Courier* 25 Dec. 2005). Quoted in a *Post and Courier* article, a regional director of the International Crisis Group (ICG) described conversion to Christianity "as one of the most explosive [issues] in Indonesia today" (ibid.). The ICG representative also stated that proof of evangelism "would give a huge amount of propaganda to some [Muslim] radical groups ... [as i]t fits into the worldview that this is a Christian-Zionist conspiracy to destroy Islam" (ibid.). However, no reports of an evangelism campaign among Muslims could be found among the sources consulted by the Research Directorate.

The previously mentioned *Post and Courier* newspaper article also stated that "[u]nder traditional Muslim law, conversion from Islam to any other faith is considered apostasy and is punishable by death. Nowadays, this is rare, but even rumors of conversion can be socially devastating" (ibid.). No information as to the treatment of

Indonesians who have converted to Christianity could be found among the sources consulted by the Research Directorate.

### **Forced Conversion**

According to the *IRFR 2005*, "[t]here were no reports of forced religious conversion" (8 Nov. 2005, Sec. II). Similarly, a representative of the Indonesia Human Rights Campaign (TAPOL) stated, in 6 March 2006 correspondence, that they had "seen no reports of forced conversion. However, there have been a number of protests against churches in some localities, with the local police providing protection."

Various sources reported that three Indonesian Christian women were charged with attempting to convert Muslim children to Christianity in 2005 (*The Times* 25 July 2005; ICC 7 Feb. 2006; Reuters 7 Sept. 2005; *IRFR 2005* 8 Nov. 2005, Sec. II). They were sentenced to three years' imprisonment (Reuters 7 Sept. 2005; ICC 7 Feb. 2006), which was upheld by the Supreme Court of Indonesia upon appeal (*ibid.*). Information on whether there were any instances of forced conversion from Christianity to Islam could not be found among the sources consulted by the Research Directorate.

### **Sharia law**

A representative of TAPOL stated, in 6 March 2006 correspondence, that Sharia law only applies in Aceh and that problems could arise with its enforcement, seeing as punishments for alleged violations of Sharia law seem to be based on a more restrictive interpretation of the faith than what Acehnese were used to. The *IRFR 2005* corroborated the fact that Sharia law is only applicable in the province of Aceh (8 Nov. 2005, Sec. II).

According to a member of the Indonesian Supreme Court, "[t]he Sharia Court ... would not use the penal and civil code but will be based on qanuns, decrees governing formal and material laws on particular issues that are formulated by local government" (AFP 12 Oct. 2004). He further added that the Sharia court system would still be subject to the Supreme Court as the final court of appeal and that non-Muslims would be heard before judicial courts (*ibid.*).

### **Fatwas on religious conversion**

*The Jakarta Post* reported that eleven fatwas were issued by the Indonesian Ulema Council (MUI) (6 Aug. 2005). Although it is not clear if any fatwas specifically addressed religious conversion, the article, which is an interview with Muslim scholar Ahmad Syafii Maarif, quotes him as stating that Islamic jurisprudence provides that a Muslim who converts to another religion shall be punished and "even executed" (*The Jakarta Post* 6 Aug. 2005). However, Maarif does indicate that the foundation for this in the Koran is "very weak" (*ibid.*). No reports of apostate Muslims being executed could be found among the sources consulted by the Research Directorate.

### **Riots against Chinese**

According to Minority Rights Group International (MRG), "several laws that discriminated against the Indonesian Chinese have been scrapped" (n.d.). One newspaper reported that there were rumours of tsunami victims of Chinese ethnicity being discriminated against by relief workers and of Chinese Indonesian owned businesses being looted (*The Straits Times* 6 Jan. 2005). Regarding prosecution of those involved in the 1998 riots against ethnic Chinese in Indonesia, a representative of TAPOL stated the following in correspondence dated 6 March 2006: "No actions have been taken to prosecute those who might be charged with inciting these riots. This follows a pattern of failure to prosecute perpetrators on numerous occasions, during and since the Suharto era." Similarly, *Country Reports 2004* reported that "[t]he Government failed to make progress in establishing accountability for the 1998 riots" (28 Feb. 2005, Sec. 1.c).

According to Paras Indonesia, a Website providing an analysis of the issues affecting Indonesia:

There have been several attempts to investigate the killings and riots, but the nation's political elite have generally appeared too cowardly or indifferent to reveal the masterminds of the dark days of May 1998. Instead, authorities have been content to trot out a few police scapegoats in an effort to present a semblance of justice.

A tightly managed military tribunal in August 1998 sentenced two police officers to 10 months and 4 months respectively, for exceeding or disobeying orders by allowing their subordinates to fire on the unarmed students. Later that year, another four police were also convicted for procedural breaches in relation to the Trisakti incident. None were charged with the killings (16 Aug. 2005).

The National Human Rights Commission (Komnas HAM) identified 56 suspects in connection with the 1998 riots and killings and recommended that the Office of the Attorney General investigate and prosecute these individuals (Paras Indonesia 16 Aug. 2005). However, *Country Reports 2004* indicated that Komnas HAM's 2003 investigation into the riots led to the identification of 20 suspects (28 Feb. 2005, Sec. 1.c). Komnas HAM produced a report based on its investigation, which was presented to the Attorney General's Office (AGO) with the intent that the AGO would conduct its own investigation; however, the AGO returned the document "reportedly because it lacked testimony from key members of the security forces" (*Country Reports 2004* 28 Feb. 2005, Sec. 1.c). Paras

Indonesia reported that "[t]he notoriously corrupt Attorney General's Office refused to follow up the report because a special parliamentary committee on the Trisakti and Semanggi cases had in July 2001 stated the killings were not gross violations of human rights" (Paras Indonesia 16 Aug. 2005). However, on 30 June 2005, the parliament's third Commission on law and human rights recommended that the killings be reinvestigated (ibid.; AHRC 8 July 2005).

According to the Asian Human Rights Commission (AHRC), "[t]hree military tribunals were convened to look into the killings and 15 officers found guilty of involvement. However, no senior officers have been held responsible. Nor has an independent judicial inquiry been held into the incidents" (8 July 2005). *Country Reports 2005* indicated that progress into the investigation of and prosecution for the 1998 riots was blocked by a matter of law: any severe human rights violations occurring prior to 2000 can only be investigated by an ad hoc human rights court, which Komnas HAM is not; such a court can only be formed on the recommendation of the House of Representatives once it is thoroughly informed about an incident (8 Mar. 2006, Sec. 4). Therefore, a deadlock has been reached, as investigation into the riots other than that previously conducted by Komnas HAM is needed for the House of Representatives to approve the creation of an ad hoc human rights court and for progress on the matter to be seen (ibid.).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

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#### Additional Sources Consulted

**Oral sources:** Christian Solidarity Worldwide (CSW) and the Indonesian National Commission on Human Rights (Komnas HAM) did not provide information within the time constraints of this Response.

**Internet sites, including:** Amnesty International (AI), *Antara News*, Asia Times Online, *The Christian Science Monitor*, Christian Solidarity Worldwide (CSW), Factiva, Forum 18, Freedom House, Human Rights Watch (HRW), Human Rights Without Frontiers (HRWF), Indonesia Human Rights Campaign (TAPOL), Indonesian National Commission on Human Rights (Komnas HAM), *Inside Indonesia*, Institute of Southeast Asian Studies (ISEAS), International Coalition for Religious Freedom (ICRF), International Christian Concern (ICC), International Crisis Group (ICG), International Helsinki Federation for Human Rights (IHF), International NGO Forum on Indonesian Development (INFID), IslamOnline.net, Minority Rights Group International (MRG), United Nations High Commissioner for Human Rights (UNHCHR), United States Department of State, WorldWide Religious News (WWRN).`

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